



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

November 15, 2011

In reply refer to: DK-7

Mr. Richard van Dijk

Ex 6

RE: FOIA # BPA-2012-00009-C

Dear Mr. van Dijk:

This is a final response to your Freedom of Information Act (FOIA) request to Seattle District, Corps of Engineers, in which they forwarded documents originated from Bonneville Power Administration (BPA), for our release determination.

BPA has provided most of the responsive documents in their entirety on the enclosed CD. However, the remaining documents are withheld in their entirety pursuant to 5 USC § 552(b)(5).

Exemption 5: Exemption 5 protects inter-agency and intra-agency memorandums, letters, and documents that include draft environmental information and analysis still being developed, reviewed, and checked for accuracy by the agencies, as well as opinions, recommendations, and advice concerning this information and analysis. Release of this information would disrupt the free exchange of ideas between Federal government employees and chill candid and frank discussions concerning the proposed project. As such, these documents are pre-decisional and contain deliberative materials that are exempt from release under FOIA Exemption 5. Furthermore, the factual information in these documents is so intertwined with deliberative materials that a discretionary release is not possible and not in the public interest. Its' release would reveal the deliberative process and thus is likewise exempt from release.

If you are dissatisfied with this determination, you may appeal with 30 days from the date you received this letter to the Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585. The appeal must be in writing and both the envelope and letter must be clearly marked "Freedom of Information Act Appeal."

I appreciate the opportunity to assist you with this matter. If you have any questions or concerns about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at 503-230-7305.

Sincerely,

/s/ Christina J. Munro

Christina J. Munro

Freedom of Information Act/Privacy Act Officer

Enclosure: CD with responsive docs

Due to the size of the responsive documents they cannot be posted. To obtain a copy contact the BPA FOIA Office at 503-230-7305.